IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.9172 of 2008
JWAHAR YADAV
Versus
STATE OF BIHAR
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3 09/05/2008 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel appearing on behalf of the informant.

A seven years boy Saurav Kumar son of the informant was found killed. The informant suspected that prior to the occurrence he was sodomized. The FIR was registered against unknown on 29.3.2007 though the boy was found missing since 23.3.2007.

Submission is that the name of the petitioner has come for the first time after more than a month i.e. on 4.5.2007 in a statement and in that statement also it has been stated that the informant heard two persons talking that the petitioner might be responsible for the occurrence.

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Prayer for bail of the petitioner has been opposed by the learned counsel for the State who has been assisted by the counsel for the informant. It has been submitted that after the present occurrence one of the family members of the informant was killed because threatening was given by Kusho Yadav for withdrawing the case.

In this case the name of the petitioner has come considerably after longer time that too on the basis of conversation of two persons which cannot be taken as a legal evidence.

Considering the facts and circumstances of the case, the petitioner Jawahar Yadav is directed to be released on bail on furnishing to bail bonds of Rs. 10,000/- (ten thousand) with two

sureties of the like amount each to the satisfaction of the C.J.M., Khagaria in connection with Gogari P.S. Case No. 76 of 2007.

avin. **(Shyam Kishore Sharma, J.)**

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